

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Allocations and Service Rules for the 71-76
GHz, 81-86 GHz and 92-95 GHz Bands

Loea Communications Corporation Petition for
Rulemaking

WT Docket No. 02-146

RM-10288

COMMENTS OF THE WI-FI ALLIANCE

The Wi-Fi Alliance (“the Alliance”) hereby submits its Comments in response to the Notice of Proposed Rulemaking issued by the Federal Communications Commission (“FCC” or “Commission”) in the above-captioned proceeding.¹ As discussed further below, the Alliance supports the Commission’s proposal to make the 92-95 GHz band available for unlicensed Part 15 use. While, at the present time, the technology to utilize the 92-95 GHz band is limited, providing for future unlicensed needs is sound public policy and it is clear that technology will continue to advance and eventually spectrum will be necessary to accommodate widespread beneficial unlicensed uses of millimeter wave bands.

The Alliance, formerly the Wireless Ethernet Compatibility Alliance (“WECA”), is an international trade association formed in 1999 to promote the adoption and commercialization of products built according to the IEEE 802.11 specifications, including Wireless Local Area Networks (“WLANs”) in the 2 GHz and 5 GHz frequency bands. Membership in the Alliance is

¹ Allocations and Service Rules for the 71-76 GHz, 81-86 GHz and 92-95 GHz Bands, WT Docket No. 02-146; Loea Communications Corporation Petition for Rulemaking, RM-10288, *Notice of Proposed Rulemaking*, FCC 02-180 (rel. June 28, 2002) (“*Millimeter Wave NPRM*”)

open to all companies that support the WLAN standards, and current members include virtually all of the major radio manufacturers producing wireless network equipment and marketing such products in the United States.² The membership continues to expand and currently consists of over 190 companies. The Alliance's members are closely involved with the development, manufacturing and marketing of unlicensed wireless devices such as WLAN products, and the Alliance therefore has particular interest in the Commission's proposal to provide for unlicensed use of the 92-95 GHz band.

The Alliance supports the Commission's forward-looking proposal to make the 92-95 GHz band available for unlicensed Part 15 use. As the Commission noted, practicable and affordable technology for the use of millimeter wave frequencies is currently lacking and the spectrum is "essentially undeveloped and available for new uses."³ The Commission recognized, however, that the adoption of the proposed rules could help create markets for millimeter wave technologies, including unlicensed technologies, thereby "fostering the development of new communications products and services for the public and the concomitant growth and jobs."⁴

As both the NPRM and the recently released Spectrum Policy Task Force Report noted, the creation of unlicensed bands below 50 GHz has been very successful in allowing the rapid introduction of new technology, and has spawned a significant market for unlicensed devices, especially devices such as WLAN products.⁵ This surge in demand is expected to continue to grow and, coupled with the limited amount of spectrum below 50 GHz that remains available for

² A complete membership list is available at the Alliance's website, www.wi-fi.org. Current members include, among others, 3Com, Acrowave, Agere Systems, AMD, Askey, Atheros, Cisco, Colubris, Connexion by Boeing, Dell, Gateway, Global Sun, Hewlett Packard, Intel, Intersil, Melco, Mobilian, Motorola, NextComm, Nokia, Philips, Proxim, Sony, Symbol, Texas Instruments, and Z-Com.

³ Millimeter Wave NPRM at ¶ 10.

⁴ *Id.*

⁵ See *id.* at ¶ 10; *Spectrum Policy Task Force Report*, ET Docket No. 02-135 at 54-55 (rel. November, 2002) ("*Task Force Report*").

unlicensed use, lead the Spectrum Policy Task Force to conclude that additional spectrum is needed for unlicensed use and recommend that all future rulemaking for terrestrial use above 50 GHz include *de novo* review of whether licensing is necessary.⁶ The Commission's proposal helps to meet the recognized need for additional available spectrum for unlicensed use.

The Alliance fully supports the Commission's proposal to make the 92-95 GHz band available for unlicensed Part 15 use. The reservation of this spectrum for unlicensed devices is consistent with the Commission's emphasis on opening new regions of the spectrum to new

⁶ See *Task Force Report* at 55.

applications and technologies, and will foster the development of new communications products and services that can benefit the U.S. public, its industries, and its economy.

Respectfully submitted,

THE WI-FI ALLIANCE

By: /S/ Sarosh Vesuna
Sarosh Vesuna, Chair of the
Technical Committee
WI-FI ALLIANCE
2570 West El Camino Real
Suite 304
Mountain View, CA 94040-1313
Tel: 650.949.6725

Eric W. DeSilva
Zedford D. Dancey
WILEY REIN & FIELDING LLP
1776 K Street, N.W.
Washington, D.C. 20006
Tel: 202.719.7000

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